

AMENDED

Nº 34868

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

JAN 13 1978

Date of filing in State Engineer's Office.....

Returned to applicant for correction.....

FEB 6 1978

Corrected application filed.....

FEB 16 1978

Map filed.....

The applicant Flying Diamond Ranches, Inc.P. O. Box 150, of Ely,
Street and No. or P.O. Box No. City or TownNevada 89301, hereby make application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

Incorporated in the State of Utah on April 19, 1971

1. The source of the proposed appropriation is Lowry Springs
Name of stream, lake or other source.2. The amount of water applied for is 0.17 cfs second-foot
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet..... acre-feet

3. The water to be used for Stockwatering
Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated).....

(b) Stockwater (state number and kinds of animals to be watered) 300 head of cattle and 2,200 of sheep

(c) Other use (describe fully under "No. 12. Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point: in the NE¼ NE¼ of Section 21, T.15N., R.63E., M.D.B. & M., whence the Northeast Corner of said
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be stated.
Section 21 bears N. 80° 30' E., 505.00 feet distant6. Place of use NE¼ NE¼ of Section 21, T.15N., R.63E., M.D.B. & M.
Describe by legal subdivision, if on unsurveyed land it should be so stated.7. Use will begin about January 1st and end about December 31st, of each year.
Day and Month Day and Month8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) through 2 inch plastic pipe to a 3,500 gallon storage tank then into watering troughs.
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works.....\$5,000.00
10. Estimated time required to construct works.....3 years
11. Estimated time required to complete the application to beneficial use.....5 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Applicant.....Flying Diamond Ranches, Inc.

By s/ Richard Forman
Richard Forman, Agent
P. O. Box 150
Ely, Nevada 89301

Compared.....jv/ga

DENIAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby ~~grant~~ deny the same, subject to the following limitations and conditions:

This application is hereby denied on the grounds that to approve an application for stockwatering use on a source where the applicant cannot demonstrate the ability to place the water to beneficial use would not be in the public interest.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second

Actual construction work shall begin on or before.....

Proof of commencement of work shall be filed before.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed.....
Completion of work filed.....
Proof of beneficial use filed.....
Cultural map filed.....
Certificate No..... Issued.....
Recorded..... Bk..... Page.....
County Recorder

IN TESTIMONY WHEREOF, I PETER G. MORROS
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this 5th day of April

A.D. 19 89

Peter G. Morros
State Engineer

ASSIGNED

AMENDED

No 34868

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office JAN 13 1978

Returned to applicant for correction

Correction application filed FEB 6 1978

Map filed FEB 16 1978

The applicant Flying Diamond Ranches, Inc.

P. O. Box 150, of Ely, City or Town

Nevada 89301, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

Incorporated in the State of Utah on April 19, 1971

1. The source of the proposed appropriation is Lowry Springs Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 0.17 cfs second-feet One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet

3. The water to be used for Stockwatering Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated:

(b) Stockwater, state number and kinds of animals to be watered: 300 head of cattle and 2,200 head of sheep

(c) Other use (describe fully under "No. 12. Remarks")

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point: in the NE 1/4 NE 1/4 of Section 21, Describe as being within a 40-acre subdivision of public

T. 15 N., R. 63 E., M. D. B. & M., whence the Northeast Corner of said Section 21 survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.

bears N. 80° 30' E., 505.00 feet distant.

6. Place of use NE 1/4 NE 1/4 of Section 21, T. 15 N., R. 63 E., M. D. B. & M. Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will be begin about January 1st and end about December 31st, of each year. Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) through 2 inch plastic pipe to a 3,500 gallon storage tank then into watering troughs. State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$5,000.00

10. Estimated time required to construct works.....3 years
If well completed, describe works.
11. Estimated time required to complete the application of water to beneficial use.....5 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

By.....s/ Richard W. Forman
Richard W. Forman, Agent
P.O. Box 150,
Ely, Nevada 89301

Compared.....pm/se.....pm/se

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....0.023.....cubic feet per second.....or sufficient to water.....300 head of cattle and 2,200 head of sheep.

Work must be prosecuted with reasonable diligence and be completed on or before.....July 13, 1991

Proof of completion of work shall be filed before.....August 13, 1991

Application of water to beneficial use shall be filed on or before.....July 13, 1993

Proof of the application of water to beneficial use shall be filed on or before.....August 13, 1993

Map in support of proof of beneficial use shall be filed on or before.....N/A

Completion of work filed.....DEC 16 1992.....IN TESTIMONY WHEREOF, I.....PETER G. MORROS,

Proof of beneficial use filed.....SEP 08 1993.....State Engineer of Nevada, have hereunto set my hand and the seal of

Cultural map filed.....my office, this.....13th.....day of.....July

Certificate No.....15237.....Issued.....AUG 16 1999.....A.D. 89